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7 Attorneys for Defendant, specially appearing  
8 BROOKS HENDERSON HADEN  
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**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

IRETA IRBY ) No. 3:08-c-80004-PJH

11 Plaintiff, )  
12 vs. ) **ORDER TO THE U.S. MARSHAL TO**  
13 ) **HOLD FUNDS FROM WAGE**  
BROOKS HENDERSON HADEN ) **GARNISHMENT.**

Defendants. ) Date: March 31, 2008  
14 ) Time: 9:00 a.m.  
15 ) Crtrm: 3, 17<sup>th</sup> Floor  
16 ) Hon. Phyllis J. Hamilton  
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**ORDER**

Upon the Application of defendant Brooks Haden for a temporary restraining order and order vacating registration of foreign judgment, the Court denies the Application. However,

**IT IS ORDERED** that

1. The U.S. Marshal's Office and Mechanics Bank may proceed with the levy pursuant to the Writ of Execution that was entered on March 3, 2008, and the Earnings Withholding Order which was issued on March 7, 2008, until further order of this Court;

2. The U.S. Marshal shall hold any funds received from Mechanics Bank pursuant to the Earnings Withholding Order, and not turn such funds over to the plaintiff or her counsel, until further order of

1 Court; and,

2       3. Defendant shall serve a copy of this Order on the following persons:

4       U.S. Marshal: Federico L. Rocha  
5           U.S. Courthouse/Phillip Burton Building  
6           450 Golden Gate Avenue, Room 20-6888  
7           San Francisco, CA 94102

Mo Omar  
Human Resources Department  
Mechanics Bank  
3170 Hilltop Mall Road  
Richmond, CA 94806

8       4. The Court will hold a hearing on defendant's motion to vacate the registration of the  
9 judgment, and on a permanent injunction against enforcement of the judgment in California, on May 14, 2008  
10 at 9:00 a.m. Defendant shall have until Friday, April 4, 2008 to file his moving papers. The opposition brief  
shall be filed on or before April 23, 2008, and any reply shall be filed on or before April 30, 2008.

11           **SO ORDERED.**

12          DATED: April 1, 2008.

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14           Hon. Phyllis J. Hamilton  
15           U.S. District Court Judge

16          Approved as to form:  
17           SEVERSON & WERSON

18          BY: /s/ Rhonda L. Nelson  
19           RHONDA L. NELSON  
20           Attorneys for Plaintiff  
21           IRETA IRBY

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